

AMENDED IN SENATE JUNE 24, 2003

AMENDED IN SENATE JUNE 4, 2003

AMENDED IN ASSEMBLY APRIL 29, 2003

AMENDED IN ASSEMBLY APRIL 9, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

## ASSEMBLY BILL

**No. 1408**

**Introduced by Assembly Member Wolk**  
(Coauthor: Senator Torlakson)

February 21, 2003

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An act to amend Section 21201 of, *to add Section 298 to, and to repeal and add Section 21202 of, and to repeal Section Sections 21202 and 21208 of, the Vehicle Code, relating to vehicles.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 1408, as amended, Wolk. Vehicles: bicycles: equipment: operation.

(1) Existing law requires a bicycle operated on a roadway to be equipped with brakes that meet a specified standard, and on a highway during darkness to be equipped with certain brakes and lighting equipment.

This bill would revise the standard for brakes and apply that standard to a highway. The bill would ~~authorize~~ *require* additional lighting equipment to be used ~~in compliance with the requirement in existing law~~ *when a person operates a bicycle on a highway during darkness.*

(2) *Existing law prohibits a person from operating on the highway a bicycle equipped with handlebars so raised that the operator must*

*elevate his or her hands above the level of his or her shoulders in order to grasp the normal steering grip area.*

*This bill would exempt recumbent bicycles from that provision.*

~~(2)–~~

(3) Existing law requires a person operating a bicycle upon a roadway to ride as close as practicable to the right-hand curb or edge of the roadway, except as specified.

This bill would recast certain provisions in existing law relating to the operation of bicycles on a roadway.

~~(3)–~~

(4) The bill would make technical, nonsubstantive changes in existing law.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. *Section 298 is added to the Vehicle Code, to*  
2 *read:*

3 298. *The “door zone” is the section of a street adjacent to a*  
4 *parked vehicle that would be unsafe for use by vehicles or bicycles*  
5 *in motion if one or more doors of the vehicle were opened.*

6 SEC. 2. Section 21201 of the Vehicle Code is amended to  
7 read:

8 21201. (a) ~~No person may~~ *A person may not* operate a bicycle  
9 on a highway unless it is equipped with a brake that enables the  
10 operator to stop the bicycle within 15 feet from a speed of 10 miles  
11 per hour on dry, level, clean pavement.

12 (b) ~~No person may~~ *A person may not* operate upon any highway  
13 a bicycle that is of a size that prevents the operator from safely  
14 stopping the bicycle, supporting it in an upright position with at  
15 least one foot on the ground, and restarting it in a safe manner.

16 (c) *A person may not operate on a highway a bicycle equipped*  
17 *with handlebars so raised that the operator must elevate his or her*  
18 *hands above the level of his or her shoulders in order to grasp the*  
19 *normal steering grip area. Recumbent bicycles are exempt from*  
20 *this provision.*

21 (d) Every bicycle operated upon a highway during darkness  
22 shall be equipped with all of the following:

23 (1) A lamp that meets both of the following conditions:

1 (A) Is attached to the bicycle or the operator.

2 (B) Emits a white light that illuminates the highway in front of  
3 the bicycle while the bicycle is in motion and is visible from a  
4 distance of ~~500 feet in front of, and 300 feet from, the 300 feet from~~  
5 ~~the front and~~ sides of the bicycle.

6 (2) On the rear of the bicycle, with a steady or flashing red or  
7 yellow light, or with a red or yellow reflector that meets the  
8 requirements of the Consumer Product Safety Commission for  
9 bicycle rear reflectors, or Standard J594 of the Society of  
10 Automotive Engineers for reflex reflectors.

11 ~~SEC. 2.—~~

12 (3) ~~A white or yellow reflector on each pedal. A person~~  
13 ~~operating a bicycle may wear reflectorized shoes or a reflective~~  
14 ~~band wrapped around each leg or ankle to meet this requirement.~~  
15 ~~The pedal reflectors, reflectorized shoes, or reflective bands shall~~  
16 ~~be visible from the front and rear of the bicycle from a distance of~~  
17 ~~200 feet.~~

18 SEC. 3. Section 21202 of the Vehicle Code is repealed.

19 ~~SEC. 3.—~~

20 SEC. 4. Section 21202 is added to the Vehicle Code, to read:  
21 ~~21202. (a) In any of the following situations, a person~~  
22 ~~operating a bicycle on a roadway may ride anywhere within the~~  
23 ~~roadway that is prudent and reasonable:~~

24 ~~(1) When overtaking and passing another bicycle or vehicle.~~

25 ~~(2) When preparing for a left turn.~~

26 ~~(3) When conditions or approaching conditions make it unsafe~~  
27 ~~to continue close to the edge of the roadway, including, but not~~  
28 ~~limited to, hazards from fixed or moving objects, vehicles,~~  
29 ~~including the door width of parked vehicles, bicycles, pedestrians,~~  
30 ~~animals, surface defects and debris, construction zones, and lanes~~  
31 ~~too narrow for a bicycle and a vehicle to travel safely side by side~~  
32 ~~within the lane.~~

33 ~~(4) When approaching a place where a right turn is authorized.~~

34 ~~(5) If riding near the left-hand edge of the roadway, when~~  
35 ~~approaching a place where a left turn is authorized.~~

36 ~~(6) When there is no overtaking traffic, or when traffic is not~~  
37 ~~able to overtake and pass under the present conditions.~~

38 ~~(7) When operating at the speed limit established under this~~  
39 ~~code for the highway.~~

~~(8) When operating at or above the speed of traffic moving in the same direction at the time.~~

~~(b) A person operating a bicycle upon a roadway with a single direction of travel may ride as near the left hand edge of the roadway as is prudent and reasonable.~~

~~(c) Under any circumstances other than those described in subdivisions (a) and (b), a person operating a bicycle upon a roadway shall ride as close to the right hand edge of the roadway as needed for faster traffic to overtake and pass, if that position is prudent and reasonable.~~

~~(d) This section does not prohibit operating bicycles two or more abreast on the roadway, if that operation is otherwise in compliance with this section.~~

~~(e) For purposes of this section, a bicycle lane, as defined in subdivision (b) of Section 890.4 of the Streets and Highways Code, established on a highway under Section 21207 and constructed and maintained in compliance with Section 891 of the Streets and Highways Code is part of the highway and the roadway.~~

~~(f) For purposes of this section, to “pass” means to execute a passing maneuver at a safe distance from the overtaken bicycle or vehicle without interfering with the safe operation of that bicycle or vehicle.~~

~~SEC. 4.—~~

*21202. (a) A person operating a bicycle upon a roadway shall, if the lane is wide enough for a bicycle and vehicle to safely travel side-by-side, ride as close to the right-hand edge of the roadway as necessary to enable faster traffic to overtake and pass the bicycle, except under one or more of the following circumstances:*

*(1) When operating the bicycle at or above the speed of traffic moving in the same direction.*

*(2) When overtaking and passing another bicycle or vehicle proceeding in the same direction.*

*(3) When preparing for a left turn.*

*(4) When conditions or approaching conditions make it unsafe to continue close to the edge of the roadway, including, but not limited to, hazards from fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface defects, debris, or construction zones.*

1     (5) When doing so would require the bicyclist to ride in the door  
2 zone of one or more parked cars.

3     (6) When approaching a location where a right turn is  
4 authorized.

5     (7) When there is no overtaking traffic, or when traffic is not  
6 able to overtake and pass under the present conditions.

7     (b) A person operating a bicycle upon a roadway with a single  
8 direction of travel may ride as near the left-hand edge of the  
9 roadway as is prudent and reasonable.

10    (c) For purposes of this section, “pass” means to execute a  
11 passing maneuver at a safe distance from the overtaken bicycle or  
12 vehicle without interfering with the safe operation of that bicycle  
13 or vehicle.

14    SEC. 5. Section 21208 of the Vehicle Code is repealed.

15    SEC. 6. Section 21208 is added to the Vehicle Code to read:

16    21208. (a) When a bicycle lane, as defined in subdivision (b)  
17 of Section 890.4 of the Streets and Highways Code, has been  
18 established pursuant to Section 21207, a person operating a  
19 bicycle upon the roadway at a speed that is less than the speed of  
20 traffic moving in the same direction at that time shall ride within  
21 the bicycle lane, except that the person may move out of the bicycle  
22 lane under the following situations:

23    (1) When overtaking and passing another bicycle or vehicle  
24 proceeding in the same direction.

25    (2) When preparing for a left turn.

26    (3) When conditions or approaching conditions make it unsafe  
27 to continue close to the edge of the roadway, including, but not  
28 limited to, hazards from fixed or moving objects, vehicles, bicycles,  
29 pedestrians, animals, surface defects, debris, or construction  
30 zones.

31    (4) To avoid operating a bicycle in the door zone.

32    (5) When approaching a location where a right turn is  
33 authorized.

34    (6) When there is no overtaking traffic, or when traffic is not  
35 able to overtake and pass under the present conditions.

36    (b) A person operating a bicycle may not leave a bicycle lane  
37 until the movement can be made with reasonable safety, and until

- 1 *he or she gives an appropriate signal in the manner provided in*
- 2 *Chapter 6 (commencing with Section 22100) of Division 11.*

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